

SENATE BILL 1542

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 3;
Title 8; Title 16 and Title 50, relative to leave for
state employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, Part 8, is amended by
adding the following as a new section:

(a) In addition to leave granted under §§ 8-50-801, 8-50-802, and 8-50-806, an
eligible employee will be granted absence from work with pay:

(1) For a period of time equal to four (4) workweeks after the birth of the
employee's newborn child or adoption of a newly placed minor child six (6) years
of age or younger by the employee upon the employee giving thirty-days' notice
to the appropriate appointing authority. If the eligible employee learns of the birth
or adoption less than thirty (30) days in advance, the employee must give the
notice as soon as reasonably possible; and

(2) For a period of time equal to one (1) workweek for a serious health
condition of the employee, employee's spouse, employee's child, or employee's
parent upon the employee giving thirty-days' notice and appropriate medical
certification from a healthcare provider to the appropriate appointing authority. If
the eligible employee learns of the need for leave based on a serious health
condition less than thirty (30) days in advance, the employee must give the
notice and medical certification as soon as reasonably possible.

(b) Leave used by an eligible employee pursuant to this section will not be
charged to any sick, annual, or other leave the employee may have accumulated.

(c) Leave granted pursuant to this section must count toward the eligible employee's use of leave required to be given by the state as an employer under the federal Family and Medical Leave Act (29 U.S.C. § 2601 et seq.) and § 4-21-408.

(d) An eligible employee must not be granted paid leave under subdivision (a)(1) more than one (1) time in a twelve-month period. An eligible employee must not be granted paid leave under subdivision (a)(2) more than one (1) time in a twelve-month period.

(e) As used in this section:

(1) "Eligible employee" means an employee who has been employed full-time with the state for at least twelve (12) consecutive months with any entity described in § 8-30-102(a); § 8-30-102(b)(1)-(7), including administrative boards and commissions attached to such entities; and § 8-30-102(b)(10)-(13); and

(2) "Serious health condition" means:

(A) A condition requiring an overnight stay in a hospital or other medical care facility;

(B) A condition that incapacitates a person for more than three (3) consecutive days and requires ongoing medical treatment;

(C) A chronic condition that causes occasional periods when a person is incapacitated and requires treatment by a healthcare provider at least four (4) times a year; and

(D) Pregnancy.

(f) The department of human resources shall establish policies for implementing this section with regard to executive branch agencies. With regard to nonexecutive branch agencies, the equivalent of the agency's human resources office shall establish policies for implementing this section as appropriate. Any policies established under this

subsection (f) may place more stringent limitations on the definition of "serious health condition".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any eligible employee that would qualify for leave under this act beginning March 1, 2021.